

JOSEPH B. SIX AND NELLIE S. NUSBAUM,
Route #1
Union Bridge, Maryland

vs.

LUTHER A. BAUMGARDNER, UNMARRIED
Y.M.C.A. BUILDING
Frederick, Maryland

" No. 20,487 Equity
" In The Circuit Court for
" Frederick County,
" Maryland
"

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Bill of Complaint of Joseph B. Six and Nellie S. Nusbaum,
by Murray H. Fout, their Solicitor, respectfully shows unto your
Honors:

First: That your Complainants are seized and possessed of a
certain farm and premises, as joint tenants and not as tenants in
common situate, lying and being in Johnsville Election District,
Frederick County, Maryland, containing 43 acres of land, more or
less, by virtue of a Deed of Conveyance from Fannie I. Six, widow,
dated January 21, 1956 and recorded in Liber 558, folio 253 etc., one
of the Land Records of Frederick County, Maryland. The original
of said deed is filed herewith and marked "Exhibit No. 1", and prayed
to be considered a part hereof.

Second: That prior to the Deed of Conveyance above referred to,
the said Fannie I. Six, widow, and Joseph B. Six, unmarried, as
Lessors, entered into a Lease with the Defendant herein, Luther A.
Baumgardner, unmarried, as Lessee, wherein the said Lessee was given
the right to mine minerals on said farm and premises in accordance
with the terms and provisions in said Lease dated September 25, 1951
and recorded among the Land Records of Frederick County, Maryland,
in Liber No. 496, folio 312. A certified copy of said Lease is filed
herewith and marked "Exhibit No. 2", and prayed to be considered a
part hereof.

Third: That said Lease among other things states: "Six months
is granted for the examination of the above land and one year thereafter
is granted for the development work on the described land, but in the